

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PROMETHEAN INSULATION  
TECHNOLOGY LLC,

*Plaintiff,*

v.

REFLECTIX, INC.

*Defendant.*

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Case No. 2:13-cv-1113-JRG

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**MINUTES FOR JURY TRIAL DAY THREE  
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP  
October 28 2015**

**OPEN: 8:24 a.m.**

**ADJOURN: 5:16 p.m.**

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ATTORNEYS FOR PLAINTIFF:	See attached.
ATTORNEYS FOR DEFENDANT:	See attached.
LAW CLERKS:	Alden Harris Emily Chen
COURT REPORTER:	Shelly Holmes, CSR-TCRR
COURTROOM DEPUTY:	Jan Lockhart

TIME	MINUTES
8:24 a.m.	Court reconvened. Exhibits read prior day read into the record.
8:29 a.m.	Direct examination of Dale Tokarski by Mr. Skidmore.
8:39 a.m.	DX 138 used.
8:45 a.m.	DX 140 used.
8:48 a.m.	DX 146 used.
8:56 a.m.	Bench conference. Direct examination continued.
9:06 a.m.	Bench conference.
9:07 a.m.	Testimony continued.
	PX 948 used.
9:13 a.m.	Mr. Skidmore passed the witness. Bench conference.
9:20 a.m.	Cross examination of Mr. Tokarski by Mr. Rodgers.
9:23 a.m.	PX 65 used.

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	PX 579 used.
9:35 a.m.	PX 604 used.
9:40 a.m.	PX 620 used.
9:43 a.m.	PX 467 used.
9:50 a.m.	PX 922 used.
9:55 a.m.	PX 547 used.
10:04 a.m.	PX 550 used.
10:06 a.m.	DX 948 used.
	PX 593 used.
10:17 a.m.	Recess.
10:48 a.m.	Hearing outside the presence of the jury.
10:51 a.m.	Redirect examination of Mr. Tokarski by Mr. Skidmore.
	PX 953 used.
10:57 a.m.	Recross examination of Mr. Tokarski by Mr. Rodgers..
11:00 a.m.	B. Shanley video deposition shown..
11:20 a.m.	C. Brian Barlow video deposition shown.
12:20 p.m.	Deposition concluded.
12:21 p.m.	Lunch recess.
1:25 p.m.	Court reconvened.
1:28 p.m.	Direct examination of Steven MacLean by Mr. Govett.
1:37 p.m.	Bench conference.
1:39 p.m.	Direct examination of Dr. MacLean continued.
1:49 p.m.	PX 426 used.
	PX 423 used.
	DX 39 used.
1:55 p.m.	DX 18 and 642 used.
	DX 39, 40 , 48 used.
2:07 p.m.	DX 277 used.
	DX 189 used.
2:18 p.m.	Bench conference.
2:32 p.m.	DX 225 and 227 used.
2:53 p.m.	Bench conference.
2:56 p.m.	Direct of Dr. MacLean by Mr. Govett continued.
	DX 18, 642, 298, 300, 301, 304, 584 used. Recess.
3:11 p.m.	Court reconvened. Cross examination of Dr. MacLean by Mr. Williams.
3:29 p.m.	DX 39 used.
	PX 3 used.
3:43 p.m.	Bench conference. Cross examination of Dr. MacLean by Mr. Williams continued.

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3:50 p.m.	DX 300 used.
	DX 299 used.
	PX 64 used.
	PX 63 used.
4:25 p.m.	PX 734 used.
4:40 p.m.	Recess.
4:56 p.m.	Court reconvened. Redirect examination of Dr. MacLean by Mr. Govett.
4:59 p.m.	DX 642 used.
5:02 p.m.	Bench conference.
5:04 p.m.	Recross examination by Mr. Williams.
5:06 p.m.	Adam McMahon deposition shown.
5:16 p.m.	Jury to return at 8:00 a.m. Court adjourned.